GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Lands – Urban Land (Ceiling & Regulation) Repeal Act, 1999 – Surplus land taken possession under the provision of the Principal Act,1976 in Sy.No.81/3 of Marripalem Village, Visakhapatnam - Allotment of land in favour of Sri Jyosula Satyanarayana Das, S/o. J. Bhuvaneswar Das and others - Cancelled – Orders – Issued.
==========

REVENUE (LANDS.IV) DEPARTMENT

G.O.MS.No. 115 Dated: 23-04-2020

Read the following:

1. G.O.Ms.No.926, Revenue (UC.I) Department dt.31-08-2009.
2. S.O&C.A, ULC, Visakhapatnam. Lr.No.CC No.456/76/B3, dt.4-4-2013 & dt.12-08-2013.
3. From the Spl. CS & CCLA, A.P. Hyderabad Lr. No.UC.I/998/2013 dt.6-9-2013.
4.Memo.No.47786/UC.I/2013 REV(ULC.L.Ref.2) Dept. dt.25-11-2014
5. GPA holder representation dt.10-12-2014.

***

ORDER:

In the reference 1st read above, Government have issued orders exempting surplus land to an extent of 17135.00 Sq. Mts. situated in Sy.No.81/3 of Marripalem Village, Visakhapatnam District in favour of Sri Jyosula Satyanarayana Das, S/o. J. Bhuvaneswar Das and 14 others.

2. In the reference 2nd read above the Special Officer & Competent Authority, Urban Land Ceiling, Visakhapatnam has reported to the Government stating that Sri Josyula Sathyanarayana Das and others were declared as surplus land holders U/s 8(4) of the ULC Act, 1976 but they were not in physical possession over the land. He has also stated that as per para 5 (c) of G.O.Ms.No.747 Rev. (UC.I) Dept. dt.18-03-2008 allotment shall be subject to withdrawal of all litigations filed either by the occupant of excess land or excess land holder or any other interested person. In the instant case, on verification of the application of the regularized persons and reports of the then S.O & C.A. ULC, Visakhapatnam, it is found that the W.P. No.21315 of 2008, W.P.No.5166 of 2008, W.P.No.10974/2009 and W.P.No.20759/2009 were pending in the High Court, however the then Spl. Officer recommended the regularization proposals in favour of J. Sathyanarayana and others. Accordingly, the Government have issued orders in G.O.Ms.No.926 Rev. (UC.I) Dept., dt.31-08-2009 while the WPs were still pending and the status quo order in 20759/2009 dt.24-09-2009 was in force. He has further stated that Sri J. Sathyanarayana and others in whose favour the surplus land allotted in the above G.O were not in possession of the surplus land at the time of allotment of surplus land to them as the said land was already allotted and handed over to VUDA on 10-04-1994 and VUDA erected fencing over the land.

3. In the reference 3rd read above, the Spl. CS & Chief Commissioner of Land Administration, A.P. Hyderabad has stated that the entire issue has been placed before the District Level Committee. The Committee has opined that the holders of 8(4) orders i.e. Josyula family were not in physical possession over the land and 5 applicants namely 1. Srinivas Misra 2. Gowri Prasad Tripati 3. J. Indira Das 4. J. Manoramma Das 5. J. Manoranjan Das have not paid the total requisite amount. This is ultravires to the provisions

of G.O.747. Hence, the Committee finally opined that the subject land should be retained by the Government duly cancelling the orders issued in the reference 1st read above as the applicants obtained regularization orders without physical possession of the land.

4. In the reference 4th read above Government has issued a show cause notice to Sri J.Satyanarayana Das and 14 others calling upon to show cause as to why the G.O.Ms.No.926 Revenue (UC.I) Department dt.31-08-2009 should not be cancelled. The said memo was also served upon Shri N. Somasekhar who is a GPA holder to Shri Josula Satyanarayana Das and others.

5. In the reference 5th read above in reply to the Show cause notice, the GPA holder has represented that there is no fraud or misrepresentation on the part of the allottees. Hence he requested to drop further action.

6. Government after careful examination of the explanation submitted by Shri N.Somasekhar, G.P.A. Holder of the allottees and after due examination of the report submitted by the S.O. & C.A, ULC, Visakhapatnam and the Spl. CS & CCLA, A.P it is observed that the contents raised by the GPA holder of the allottees, has already been taken into consideration by the S.O & C.A, ULC/ District Level Committee and submitted a detailed report duly recommending to Government for cancellation of the orders issued in the reference 1st read above. Hence, the explanation submitted by the GPA Holder of the allottee is not tenable as it has obtained fraudulently and misrepresenting the facts.

7. Government hereby cancel the orders issued in G.O.Ms.No.926 Revenue (UC.I) Department dt.31-08-2009. The Special Officer and the Competent Authority, Urban Land Ceiling, Visakhapatnam is directed to resume the land following the due process of law.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Jyosula Satyanarayana Das, S/o. J. Bhuvaneswar Das.
Sri N.Somasekhar,G.P.A.Holder of the allottees (through the Special Officer and Competent Authority, Urban Land Ceiling, Visakhapatnam.
The Special Officer and Competent Authority, Urban Land Ceiling Visakhapatnam.
The Special Chief Secretary & Chief Commissioner of Land Administration, A.P. Vijayawda.
The Principal Secretary to Government, MA & UD Department.
The Commissioner & Inspector General of Registration & Stamps, Vijayawada.
The District Collector, Visakhapatnam.
The District Registrar, Visakhapatnam.
The Sub- Registrar concerned through District Registrar, Visakhapatnam.
The Director of Survey Settlements and Land Records, Vijayawada.
The vice-Chairman & Managing Director, VUDA Visakhapatnam.
The Mandal Revenue Officer concerned through the Collector, Visakhapatnam.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER